

OCT. 15. 2004 2:21PM

BROWDY AND NEIMARK

NO. 8917 P. 1

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N.W.

WASHINGTON, D. C. 20001-5303

TELEPHONE (202)-628-5197

ALVIN BROWDY (1917-1998)

PATENT AGENT

ALLEN C. YUN, PH.D.

TELESCOPIER FACSIMILE

(202) 737-3528

(202) 393-1012

E-MAIL

mail@browdyneimark.com

SHERIDAN NEIMARK
ROGER L. BROWDY

ANNE M. KORNBAU
NORMAN J. LATKER
DIANA MICHELLE SOBO
AOI NAWASHIRO

OF COUNSEL
IVER P. COOPER
JAY M. FINKELSTEIN

RECEIVED
CENTRAL FAX CENTER

OCT 15 2004

TELEFAX CONTROL SHEET

SENT TO:

USPTO.

DATE SENT:

15OCT2004

SUBJECT:

RESPONSE (DKT:LANDEGREN-1A). 09/785,657.

No. of pages (including this cover sheet):

15

FROM:

RANDY DAVIS.

Remarks:

- THIS IS THE RESPONSE TO QA. (MAIL DATE 04MR2004). EXAMINER. SURYAPRABHA CHUNDURU TOLD US TO FAX RESPONSE TO (703) 872-9386. THE CREDIT CARD RECEIPT HAS ALREADY BEEN CHARGED. NO NOT RECHARGE.

THANKS,

RANDY DAVIS.

CONFIDENTIALITY NOTE

This confidential facsimile message is intended only for the individual entity named above, and may contain information that is privileged and exempt from disclosure under applicable law. If you, the reader of this message, are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you should not copy this facsimile or distribute it to anyone other than the intended recipient. In addition, if you have received this facsimile in error, please immediately notify us by telephone or telefax and return the original message to us at the address above via the United States Postal Service. Finally, if it would not inconvenience you, we would appreciate it if you would first refax this message to the intended recipient. Thank you.

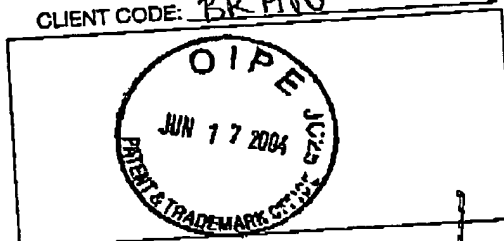
If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdyneimark.com, or call our voice telephone no. 202-628-5197.

APPLICATION/PATENT NO:

DOCKET NO: LANDEGREN1ATHE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

- ☒ FEES \$55.00 PTO FORM 2038
☒ EXTENSION OF TIME (MONTHS)
☒ TRANSMITTAL LETTER
☐ MISSING PARTS RESPONSE WITH DECL
☒ ~~AMENDMENT~~ RESPONSE (circle one)
☐ PRELIMINARY ☐ SUPPLEMENTAL
☐ APPLICATION DATA SHEET
☐ RESTRICTION/ELECTION REPLY
☐ SEQUENCE LISTING ☐ WITH DISK
☐ RCE TRANSMITTAL
☐ REQUEST FOR STATUS
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF/REPLY BRIEF (TRIPPLICATE)
☐ REQUEST & CERTIFICATE OF CORRECTION
☐ OTHER

B&N-1

CONF. NO.: 5356CLIENT CODE: BRAND

- ☐ ASSIGNMENT
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM SB08A & PATENTS/PUBS
☐ PRIORITY DOCUMENT(S) NO.
☐ DECLARATION UNDER §
☐ SHEETS OF FORMAL DRAWINGS
☐ ISSUE FEE TRANSMITTAL FORM
☐ PUBLICATION FEE
☐ MAINTENANCE FEE LETTER

THIS PAGE LEFT BLANK

In Re OCT. 15. 2004 2:22PM et al. BROWDY AND NEIMARK

Application No.: 09/785,657

Filed: February 20, 2001

For: METHOD AND KITS FOR PROXIMITY PROBING

Art Unit: 1637

Examiner: S. Chunduru

Washington, D.C.

Att'y's Docket: LANDEGREN-1A

Date: June 17, 2004

Confirmation No.: 5356

NO. 8917 P. 4

RECEIVED
CENTRAL FAX CENTER

OCT 15 2004

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] Amendment in the above-identified application.

[X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 20	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 135	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 270	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[X] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[X] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[X] First - \$ 55.00
[] Second - \$ 210.00
[] Third - \$ 475.00
[] Fourth - \$ 740.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[] First - \$ 110.00
[] Second - \$ 420.00
[] Third - \$ 950.00
[] Fourth - \$ 1480.00
Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[X] Credit Card Payment Form, PTO-2035, is attached, authorizing payment in the amount of \$55.00.

[] A check in the amount of \$ is attached (check no.).

[X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

10/18/2004 AWONDAF1 00000057 09785657

01 FC:2251

55.00 OP

Facsimile: (202) 737-3528
Telephone: (202) 628-6197

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By: 
Allen C. Yun
Registration No. 37,971